

EXHIBIT N

1 IN RE:

2

3

4 GORE,

5

6 VS.

7

8 LEE,

9 _____ /

10

11

12

13

14 TRANSCRIPTION OF AUDIO RECORDED PROCEEDINGS

15

16 RECORDED PROCEEDINGS OF: Tennessee Legislative Session

17

18 DATE RECORDED: April 4, 1977

19

20

21

22 Transcribed by:

23 Melissa Iadimarco

24 Court Reporter/Transcriptionist

25

P R O C E E D I N G S

SENATE SPEAKER: House Bill No. 425 by
Representative Dubury (inaudible) an act to enact the
Vital Records Act of 1977 to provide for an Office of
Vital Records within the Tennessee Department of
Public Health and to institute a comprehensive
statewide system of vital records and to rebuild
(inaudible) Sections 53-401 through 53-458 inclusive,
the same being all of Chapter 4 of Title 53 of the
Tennessee Code annotated.

SPEAKER: Let it debate.

SENATE SPEAKER: The senate bill is on the desk. Without objection, let the proper motion substitute and conform the Senate bill to the House bill be spread upon a journal and show him as passed. We have an amendment on the desk.

SPEAKER: Thank you, Mr. Speaker. For the purpose of discussion, calling up amendment, I move passes up senate bill 162 on third and final reading.

SENATE SPEAKER: Proper motion. Is there a second? Properly second. Call up the first amendment. Mr. Clerk

THE CLERK: Amendment No. 1, a committee amendment by Representative Ashton to amend the house bill -- Senate bill 162 by deleting Section 4.

1 Paragraph C the second sentence beginning with the
2 words "information pertaining to the father" and
3 ending with the words "is controverted" and is further
4 amended by the deleting from Section 5 Paragraph F the
5 words "and social policies", and is further amended by
6 the deleting all of Paragraph E, Subsection 1 of
7 Section 6 and inserting in lieu thereof, a new
8 Paragraph E, Subsection 1 to Subsection 6 to read as
9 follows: "If the mother was married at the time of
10 either conception or a birth or any time between
11 conception and birth to the natural father of the
12 child, the name of the father shall be entered on the
13 certificate and the surname of the child shall be
14 entered on the certificate as that of the natural
15 father. "

16 And is further amended by deleting from Section
17 9, Paragraph B, the words "be made on a form
18 prescribed and furnished by the state registrar and
19 shall" and is further amended by deleting from Section
20 9, Paragraph F the words "the 10th day of the calendar
21 month, following the month in which it was entered"
22 and inserting in lieu thereof the words "no later than
23 40 days from entry of the order" and is further
24 amended by inserting in Paragraph G of Section 9
25 between the words "some" and "shall" the words "his or

1 her parent or legal guardian" and is further amended
2 by inserting in Paragraph C of Section 18 between the
3 words "reinternment" and "shall" the words "in case of
4 movement of cemeteries or plots of cemeteries or for
5 reuniting families", and is further amended by adding
6 to Paragraph B of Section 21 a new sentence, which
7 shall read "minor corrections shall mean amendment of
8 obvious errors, transposition of letters and words of
9 common knowledge or omissions" and is further amended
10 by deleting all of Paragraph A of Section 26, and is
11 further amended by deleting the first paragraph of
12 Section 27 in its entirety.

13 SENATE SPEAKER: Whose amendment? Representative
14 Ashton?

15 REPRESENTATIVE ASHTON: (inaudible) to the House,
16 the amendment is long and as some people have said, it
17 looks like it rewrites the bill. But it really
18 doesn't. It changes a few legal problems that
19 developed as far as the Courts administration of
20 certain aspects of the vital records bill is
21 concerned. And that allowing the court's latitude and
22 prescribing what would be in its court orders, as they
23 pertain to adoption, the amount of information that's
24 necessary.

25 It also limits the jurisdiction of the

1 commissioner -- director of Vital records on
2 disinterning and reinterning bodies to that cemetery
3 or part of a cemetery has to be moved, it still
4 requires a certificate of a medical examiner and a
5 judge on internment or disinternment for forensic
6 purposes.

7 Pending any questions on the amendment,
8 Mr. Speaker, I would move adoption of Amendment No. 1,
9 which is a committee amendment.

10 SENATE SPEAKER: Is this a committee amendment?

11 REPRESENTATIVE ASHTON: A committee amendment.

12 SENATE SPEAKER: I believe, under the rules, it
13 requires a committee chairman, Mr. Ashton.

14 SPEAKER: Representative Williams (inaudible),
15 Mr. Speaker.

16 SENATE SPEAKER: Will you yield? Representative
17 Gill.

18 REPRESENTATIVE GILL: I defer to Mr. Ashton.

19 SENATE SPEAKER: Okay. Proper motion. Is there
20 a second? Probably a second. Representative Brad?

21 REPRESENTATIVE BRAD: Our response to the
22 amendment is -- Representative Ashton, is in any way
23 disturbed by the part of the section that says that if
24 you don't know who the father is, leave that blank?

25 REPRESENTATIVE ASHTON: No, sir. That part of

1 the bill is still in there, in that there is no direct
2 agreement by the person claiming to be father, no name
3 would be put in for the father in this amendment.

4 SENATE SPEAKER: Further discussion on the
5 amendment? Are you ready for the questions? So any
6 members in favor of the adoption Amendment No. 1, the
7 House -- Senate bill number is 162. Vote aye. All
8 opposed, no. You adopt.

9 Next amendment, Mr. Clerk?

10 THE CLERK: Amendment No. 2, a committee
11 amendment by Dr. Gill and (inaudible) to amend Senate
12 bill 162 by deleting Section 21 Paragraph D in its
13 entirety and then stating in lieu thereof a new
14 Paragraph D to read as follows: "The sex of an
15 individual will not be changed on the original
16 certificate of birth as a result of sex change
17 surgery."

18 SENATE SPEAKER: Mr. Gill.

19 REPRESENTATIVE GILL: Mr. Speaker, I'd like to
20 further this amendment to our august legal counsel and
21 the general welfare committee, Representative Ashton.

22 SENATE SPEAKER: Who? Representative Ashton,
23 you're recognized, sir.

24 REPRESENTATIVE ASHTON: Thank you, Mr. Speaker
25 pro tem. Ladies and gentlemen of the jury, this is a

1 section of the bill I'd advise all of you, if you have
2 the bill, to take it out and look at it so that you
3 can read that section. This is the section that
4 caused alleged controversy originally. And it
5 pertains to the modification of birth certificates
6 where there has been a sex change operation.

7 And the amendment to leave section -- Subsection
8 B of Section 21 and insert in lieu thereof, that the
9 certificate cannot be changed as it pertains to sex of
10 the individual, but that upon -- by correlation upon a
11 court order, the name could be changed.

12 And the intent of this amendment and the intent
13 of the committee when it adopted it was that those
14 natural events which occur at birth should not be
15 allowed to be changed by an individual later on in
16 life, that those events that are described to a
17 person after he was born, such as his name, the name
18 of his parents, the date of his birth, even, which are
19 not physical facts, should be allowed to be changed by
20 court order.

21 And the reasoning for the amendment being that I
22 move adoption amendment No. 2.

23 SENATE SPEAKER: Proper motion? Is there a
24 second? Properly seconded. Committee amendment. Any
25 discussion? Ready for the question. So any members

1 in favor of the adoption amendment No. 2, vote aye.

2 All opposed, vote no. You adopt. Next amendment,

3 Mr. Clerk.

4 THE CLERK: Amendment No. 3 by representative
5 Ashton to amend Senate bill 162 by deleting from
6 Section 20, Subsection A, the last two sentences of
7 said section so that this section as amended shall
8 read "A, for each divorce, dissolution of marriage or
9 annulment by any court in this state, a record shall
10 be filed with the Court of the clerk of the court with
11 the Office of Vital Records and shall be registered,
12 first has been completed and filed in accordance with
13 this section."

14 SENATE SPEAKER: Representative Ashton?

15 REPRESENTATIVE ASHTON: Mr. Speaker, ladies and
16 gentlemen of the House, this amendment requires the
17 clerk of the Court in divorce cases, as in other cases
18 involving right of title records to maintain and
19 transmit to the Bureau of Vital Statistics such
20 statistical information as they might require, so that
21 they might be able to furnish this to other agencies
22 to do socioeconomic research.

23 And pending any questions, I move the adoption of
24 the amendment.

25 SENATE SPEAKER: Proper motion, properly second

1 by (inaudible) of the bill. Any discussion on the
2 amendment? Be ready for the question. So any members
3 in favor of the adoption of amendment No. 3 Senate
4 bill 162, vote aye. Opposed, no. You adopt. Next
5 amendment, Mr. Clerk.

6 (Audio recording concluded.)

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 C E R T I F I C A T E
2

3 I, MELISSA IADIMARCO, do hereby certify that I
4 was authorized to transcribe the foregoing recorded
5 proceeding, and that the transcript is a true and accurate
6 transcription of my shorthand notes to the best of my
7 ability taken while listening to the provided recording.

8
9
10 Dated this 2nd day of March, 2020.
11
12
13
14
15
16
17
18
19
20
21
22
23
24



25 MELISSA IADIMARCO, CSR